

SENATE BILL 1149

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 44;
Title 63 and Title 68, relative to veterinary practice.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 12, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding this chapter or another law to the contrary, a veterinarian-client-patient relationship exists, and a licensed veterinarian may engage in the practice of veterinary medicine for a livestock producer, if the licensed veterinarian or licensed veterinarian with access to the patient's medical records:

(1) Conducts an initial physical meeting with the client and patient, at which the veterinarian:

(A) Performs a physical examination on the patient; or

(B) Is personally acquainted with the keeping and care of the patient through medically appropriate visits to the premises where the patient is maintained;

(2) Has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the patient's medical conditions;

(3) Assumes responsibility for making clinical judgements for the health of the patient and the need for medical therapy, and has instructed the client on a course of therapy appropriate to the circumstance;

(4) Maintains patient records; and

(5) Provides oversight of treatment and is readily available to provide, or has provided for, follow-up medical care in the event of adverse reactions or failure of the treatment regimen.

(b) Once a veterinarian-client-patient relationship is established under subsection (a), the relationship may be maintained by electronic or telephonic means during the twenty-four (24) months that follow the date of the initial exam or premises visit. Not later than twenty-four (24) months after the date of the initial physical exam or medically appropriate visit of premises, the licensed veterinarian, client, and patient must have another physical exam or premises visit. Each additional physical exam or premises visit must occur not later than twenty-four (24) months after the date of the prior physical exam or premises visit in order for the veterinarian-client-patient relationship to continue.

(c) A licensed veterinarian or a client may decline or discontinue a veterinarian-client-patient relationship.

(d) A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency or urgent care to a patient when a client cannot be identified, or where a veterinarian-client-patient relationship is not established, is not subject to discipline based solely on the veterinarian's inability to establish a veterinarian-client-patient relationship.

(e) Notwithstanding subdivision (a)(1) and subsection (b), a veterinarian licensed in this state may conduct an initial evaluation of a patient through electronic or telephonic means only in remote regions of this state where there is no locally available veterinarian if:

(1) Travel for a physical exam or premises visit with the client is impossible;

(2) The veterinarian requests that, at the earliest date when reasonably achievable, the patient be presented for an in-person examination or that the veterinarian conduct a medically appropriate visit to the premises where the patient is kept; and

(3) The veterinarian provides the client with:

(A) The veterinarian's identity, location, and licensure status; and

(B) Any privacy or security issues involved in accessing veterinary services through electronic means.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.